

Transportation and Offsite Storage of Disaster Recovery Materials  
Control Number: 12-012

JUSTIFICATION AND APPROVAL  
FOR OTHER THAN FULL AND OPEN COMPETITION

1. Contracting Activity: Department of Veterans Affairs (VA)  
Office of Acquisition Operations  
Technology Acquisition Center  
Acquisition Service – Austin  
1701 Directors Blvd., Suite 600  
Austin, Texas 78744
2. Description of Action: The proposed action is for a Firm-Fixed-Price contract for Transportation and Offsite Storage of Disaster Recovery Materials, in the form of media tapes, for the Austin Information Technology Center (AIRC) with Safesite, Inc. (Safesite), 9505 Johnny Morris Road, Austin, TX 78724. These services will enable the AIRC to ensure that Primary Mission-Essential Functions will continue to be performed in the event of a wide range of emergencies, including localized acts of nature, accidents, and technological or attack-related emergencies. The planned period of performance is a twelve (12) month base period with an additional option year.
3. Description of Supplies or Services: In order to meet Government mandated policies and procedures for disaster recovery and Continuity of Operations Planning (COOP), the AIRC must procure the services of an offsite storage facility. The contractor shall provide secure transportation of AIRC's disaster recovery media tapes from the AIRC to the storage facility on a daily basis. The storage facility shall provide safe and secure storage of the disaster recovery media tapes. In the event that a catastrophe renders the AIRC's materials processing inoperative or the AIRC facility inaccessible, the stored media tapes will be used to continue Primary Mission-Essential Functions at an alternate disaster recovery site. In the event of a catastrophe or disaster at the AIRC, the contractor shall provide secure transportation of the media tapes from the storage facility to the following location: VA Technology Center (284/35), 5000 Wissahickon Avenue, Philadelphia, PA 19144. The total estimated amount for this requirement is \$726,000.00, inclusive of the base and option year.
4. Statutory Authority: The statutory authority permitting other than full and open competition is 41 U.S.C. 253(c) (1) as implemented by the Federal Acquisition Regulation (FAR) Subpart 6.302-1, "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements"
5. Rationale Supporting use of Authority Cited Above: The incumbent contractor, Safesite, has been the only source capable of meeting the

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AITC's requirement. Recent market research conducted, detailed in paragraph 8 of this document, has confirmed that no additional sources have emerged. Safesite is the only source that was found to be capable of meeting the AITC's requirements, particularly the requirement that the storage facility be located a minimum of ten (10) miles away from the AITC while being capable of providing secure transportation of the media tapes from the AITC to the storage facility on a daily basis, including holidays and weekends. In the event of a disaster or catastrophe at the AITC (e.g., localized acts of nature, accidents, and technological or attack-related emergencies), the requirement that the media tapes be stored at a minimum of ten (10) miles away will mitigate the risk of the materials being affected by the same event. In developing the requirement that the AITC's media tapes be stored at a minimum of ten (10) miles away, the following criteria were main factors:

- Geographic Area: distance from the organization and the probability of the storage site being affected by the same disaster as the organization's primary site.
- Accessibility: length of time necessary to retrieve the data from storage and the storage facility's operating hours.

In the event of a catastrophe at the AITC, the farther away the offsite storage facility is located, the lower the probability that the storage facility is affected by the same event.

Additionally, only Safesite can meet the Government's emergency callback requirements. Periodically, it is necessary for systems administrators and other key personnel to recall media tapes from the off-site storage facility to restore a file or system. When a need arises a Service Desk ticket is created and depending on the urgency and the degree of impact on Primary Mission-Essential Functions a service level of 2 hour, 4 hour, or next day is assigned. In the most urgent cases delivery is required to be made within 2 hours. For slightly less urgent cases delivery is required to be made within 4 hours. For low priority cases delivery is acceptable to be made on the next scheduled tape rotation. Safesite is the only source that can meet all of these requirements.

6. Efforts to Obtain Competition: Requests for information (RFI's) were sent out on both the General Services Administration's (GSA) eBuy system and Federal Business Opportunities website FBO.gov (see section 8, Market Research). These efforts did not yield any additional sources that can meet the Government's requirements. Additionally, the proposed action will be synopsisized on FBO in accordance with FAR 5.201. Any proposals that are received will be evaluated.

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7. Actions to Increase Competition: The Government will continue to conduct market research to ascertain if there are changes in the market place that would enable future actions to be competed.
8. Market Research: Market research was conducted by issuing RFI's on both the GSA eBuy system and FBO.gov website. Iron Mountain Government Services, 1821 Michael Faraday Dr. Suite 100, Reston, VA was the only contractor who responded to either RFI. While Iron Mountain claimed that it had the capabilities to meet the VA's requirement, the location of their proposed storage facility was unacceptable. Iron Mountain's proposed storage facility is located less than 4 miles away from the AITC which is not compliant with the Geographic Area requirement of being located a minimum of ten (10) miles away. In an email sent on December 5, 2011, Iron Mountain was informed that due to the location of their proposed storage facility that they could not be considered in any subsequent competition. In an email reply received December 6, 2011 Iron Mountain expressed their disappointment but did not provide any alternatives that would meet VA's requirement. Based on this market research the Government's technical experts determined that only Safesite can meet all of VA's needs.
9. Other Facts: In accordance with FAR 15.404-1(b)(ii) to determine price reasonableness the proposed price will be compared to historical prices paid. There will not have been a significant time lapse between the last acquisition and this one. In addition there have been no changes to the requirement or proposed terms and conditions. Due to the determination that adequate data from sources other than Safesite are not available, to further substantiate that the proposed price is fair and reasonable, in accordance with FAR 15.403-3(c) we will require data other than certified cost or pricing data (e.g. history of sales to non-governmental and governmental entities).

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10. Technical and Requirements Certification: I certify that the supporting data under my cognizance, which are included in this justification, are accurate and complete to the best of my knowledge and belief.

Carlos Melendez

Date: 1/10/12

Chief Production Control, AITC

Signature: Carlos Melendez

11. Fair and Reasonable Cost Determination: I hereby determine that the anticipated price to the Government for this contract action will be fair and reasonable based on the Independent Government Cost Estimate and price analysis.

Mark E. Shumake

Date: 1/11/12

Procuring Contracting Officer

Signature: Mark E. Shumake

12. Procuring Contracting Officer Certification: I certify that this justification is accurate and complete to the best of my knowledge and belief.

Mark E. Shumake

Date: 1/11/12

Procuring Contracting Officer

Signature: Mark E. Shumake

13. Legal Sufficiency Certification: I have reviewed this justification and find it adequate to support other than full and open competition and deem it legally sufficient.

TBD

Date: 1/11/12

Legal Counsel

Signature: TBD

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Approval

In my role as Contracting Activity Competition Advocate and based on the foregoing justification, I hereby approve a Firm-Fixed-Price contract for Transportation and Offsite Storage of Disaster Recovery Materials, in the form of media tapes, for the Austin Information Technology Center (AIRC) on an other than full and open competition basis pursuant to the authority of 41 U.S.C. 253(c)(1), subject to availability of funds, and provided that the services herein described have otherwise been authorized for acquisition.

Date: 11 Jan 12

Signature: Wendy J. McCutcheon  
Iris B. Cooper  
Head of the Contracting Activity